



MAYOR AND COUNCIL AGENDA

NO. 15A

DEPT.: Public Works / Environment

DATE: September 28, 2004

ACTION: Bid #06-05 - award the portion of the bid for Northeast Park SWM; reject the portion of the bid for RedGate Golf Course SWM.

TO: Apex Environmental Inc

OF: Rockville, Maryland

AMOUNT: \$253,880.20

FOR: Modifying existing stormwater management pond in Northeast Park.

ACTION STATUS:

FOR THE MEETING OF: 10/4/04

INTRODUCED

PUB. HEARING

INSTRUCTIONS

APPROVED

EFFECTIVE

ROCKVILLE CITY CODE,

CHAPTER

SECTION

☒ **CONSENT AGENDA**

RECOMMENDATION:

Staff recommends award of the portion of Bid # 06-05 to Apex Environmental Inc, of Rockville, Maryland, in the amount of \$253,880.20 for construction of a stormwater management pond retrofit and in-stream plunge pool in Northeast Park. Staff also recommends rejection of all bids for the portion of Bid #06-05 for stormwater management pond retrofits and stream restoration on the RedGate Golf Course.

IMPACT: ☒ Environmental ☒ Fiscal ☐ Neighborhood ☐ Other:

\$257,000 is available in the Northeast Park SWM CIP project account number 330-850-1B59 to award the Northeast Park SWM portion of this bid.

Modifying the outdated SWM facility will improve the water quality in the Rock Creek Watershed. Construction access to the Northeast Park SWM facility will be from the adjacent commercial properties and Gude Drive thereby minimizing inconveniences and the impact on the adjacent residential community on Wesley Road.

BACKGROUND:**Bid Distribution:**

Notification of the bid went to 69 prospective contractors three of which were Rockville companies. Bid notification also was posted on the City's Web site.

Bid Received:**Northeast Park SWM**

Ross Contracting Inc	Mount Airy, MD	\$493,566.00
Concrete General	Gaithersburg, MD	\$489,996.00
Environmental Quality Resources, LLC	Gaithersburg, MD	\$338,771.12
Apex Environmental Inc	Rockville, MD	\$253,880.20

The engineer's estimate was \$257,834.00.

RedGate Golf Course SWM

Concrete General	Gaithersburg, MD	\$1,255,750.00
Ross Contracting Inc	Mount Airy, MD	\$973,643.50
Environmental Quality Resources, LLC	Gaithersburg, MD	\$675,309.76
Apex Environmental Inc	Rockville, MD	no bid

The engineer's estimate was \$501,400.00.

Project Description: Bid #06-05 has two separate stormwater management/stream restoration projects: the RedGate Golf Course project and the Northeast Park project. The Department of Public Works, in consultation with the Purchasing Division, decided to bid these two projects together because the project locations are adjacent to each other on opposite sides of Gude Drive, and the work is very similar for each project. The Department of Public Works believed this would lead to lower bids for large contractors who could manage simultaneous construction at both sites due to the close proximity, opportunity to share equipment and work crews and economy of scale for obtaining materials.

The Rock Creek Watershed Study, adopted by the Mayor and Council in 2000, recommended modifying one SWM facility in Northeast Park and two SWM facilities located at the RedGate Golf Course, as well as making stream improvements on the Golf Course and adding a plunge pod at the upper end of Northeast Park to trap trash. The SWM facility modifications will improve water quality in the Rock Creek Watershed as well as decrease stream channel erosion downstream of the Golf Course. Modifications include replacing the existing metal pipe control structures for each of the three SWM facilities with concrete structures. One of the SWM ponds on the Golf Course will be converted to a shallow marsh. The other Golf Course SWM pond will receive additional plantings around the perimeter. The Northeast Park pond will be re-graded to provide water quality treatment and channel erosion protection to the downstream watershed. All three SWM ponds will become "extended detention" type of facilities. Ancillary work includes stabilizing the drainage channel along Avery Road on the Golf Course, replacing deteriorated metal drainage culverts throughout the Golf Course and restoring 400 linear feet of stream.

Reference:

Staff contacted two references for Apex's work similar to the work to be undertaken by the Northeast Park SWM project. All responses were positive. Staff also met with Apex to discuss the proposed construction management and were satisfied that Apex is a responsive bidder capable of completing the work properly and on time.

Rejection of RedGate Golf Course Project Bids:

All of the submitted bids were substantially above the engineer's estimate for the work proposed on RedGate Golf Course, and they greatly exceeded the amount available in the CIP fund. Despite the apparent advantages of offering contractors two close projects for similar work, the desired cost savings from bidding both projects together did not materialize for the RedGate project. Therefore, the Department of Public Works staff recommends that the Mayor and Council reject all of the submitted bids for the RedGate Project.

Staff will discuss the RedGate project schedule with the Department of Recreation and Parks, including the Golf Course Superintendent with whom the Department of Public Works has closely coordinated throughout the design phase. Staff will review construction impacts with the Golf Course Superintendent to see if the project schedule can be modified to allow greater flexibility, thereby creating an opportunity for cost savings. Additionally, staff anticipates bidding this project in 2005 and expects to put the re-bid on the street several months ahead of the desired construction start date which should result in lower bids that will more closely match the engineer's estimate. Staff will also discuss suggested construction management changes with the Golf Course Superintendent to determine if the work can be accomplished more affordably.

PREPARED BY: Lise SoukupLise Soukup, Civil Engineer II9/28/2004

Date

CONCUR:A Susan T. StrausSusan T. Straus, Chief Engineer/Environment9-28-04

Date

CONCUR:Eileen MorrisEileen Morris, Contracts Officer9/28/04

Date

APPROVE:Eugene H. CranorEugene H. Cranor, Director of Public Works9/28/04

Date

APPROVE:Catherine Tuck ParrishCatherine Tuck Parrish, Acting City Manager9/28/04

Date

LIST OF ATTACHMENTS:

None



MAYOR AND COUNCIL AGENDA

NO. **15 B** DEPT.: Recreation and Parks

DATE: September 23, 2004

ACTION: Award of Bid #07-05
TO: Lighting Maintenance, Inc.
OF: Rockville, Maryland
AMOUNT: \$49,600
FOR: Tennis Court Lighting Replacement at
 Woodley Gardens Park

ACTION STATUS:
FOR THE MEETING OF: 10/4/04
 INTRODUCED
 PUB. HEARING
 INSTRUCTIONS
 APPROVED
 EFFECTIVE
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RECOMMENDATION: Staff recommends award of Bid 07-05 to the lowest bidder, Lighting Maintenance, Inc. of Rockville, Maryland in the amount of \$49,600 to remove and replace tennis and basketball court lighting at Woodley Gardens Park.

IMPACT: ☐ Environmental ☒ Fiscal ☒ Neighborhood ☐ Other:

Fiscal: Sufficient funds are budgeted in the Capital Improvements Project Account 420-900-4M61.

Neighborhood: This will improve the quality of play and safety of these City courts and will reduce undesirable light spill to adjacent areas.

BACKGROUND: Invitations to Bid were mailed to 23 firms, two of which were Rockville firms. Sealed bids were received and opened on August 18, 2004 at 2:30 p.m. in the Mayor and Council Chamber. Four bids were received as follows:

Order	Contractor	Location	Total	Alternate A	Alternate B	Total
1.	Lighting Maintenance, Inc.	Rockville MD	\$42,000	\$ 5,500	\$ 2,100	\$49,600
2.	Dalton Electric Service, Inc.	Burtonsville MD	\$48,000	\$ 8,200	\$ 3,900	\$60,100
3.	Electrical General Corp	Annapolis Jct MD	\$50,000	\$10,200	\$ 3,025	\$63,225
4.	Pel-Bern Electric, Inc.	Rockville MD	\$63,700	\$12,800	\$ 3,003	\$79,503

Note: Alternate A is for additional basketball court lights.
 Alternate B is an extended warranty to ten years.

Project Description: This project provides for all labor, materials, equipment, demolition and removal of existing court lighting, and installation, inspection, incidentals and guarantee for new tennis and basketball court lighting at Woodley Gardens Park, with a completion date of January 28, 2005.

NOTE: The lighting system that is being replaced is twenty-five years old and mounted on wooden poles, one of which was broken off in a storm earlier this year. The existing system has reached the end of its usable life.

Budget Estimate: Staff estimated a budget of \$55,000 for this project.

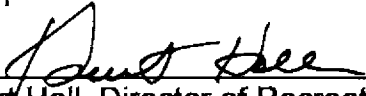
References: Lighting Maintenance, Incorporated provided satisfactory services on previous lighting replacement projects for the City of Rockville.

PREPARED BY:

Steve Mader, Superintendent of Parks and Facilities

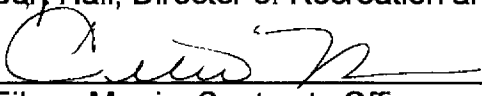
Date

APPROVE:


Burt Hall, Director of Recreation and Parks

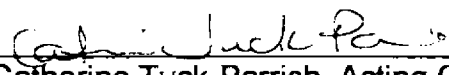
9.28.04

Date


Eileen Morris, Contracts Office

9-28-04

Date


Catherine Tuck-Parrish, Acting City Manager

9/28/04

Date

LIST OF ATTACHMENTS: None



MAYOR AND COUNCIL AGENDA

NO. 15C

DEPT.: Recreation and Parks

DATE: September 23, 2004

ACTION: Rejection of Bid # 41-04
TO: Concrete General, Inc.
OF: Gaithersburg, MD
AMOUNT: \$7,578,935.20
FOR: Construction of Pedestrian and Bicycle
Crossing of I-270 at MD 28

ACTION STATUS:
FOR THE MEETING OF: 10/4/04
INTRODUCED
PUB. HEARING
INSTRUCTIONS
APPROVED
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CHAPTER
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☒ **CONSENT AGENDA**

RECOMMENDATION: Staff recommends the rejection of Bid # 41-04 for the Construction of Pedestrian and Bicycle Crossing of I-270 at MD 28 due to the amount of all bids received being significantly higher than the budget for this project.

IMPACT: ☐ Environmental ☒ Fiscal ☐ Neighborhood ☐ Other:

Fiscal: Funding is allocated for this project in the Capital Improvements Project account # 420-900-3E60

BACKGROUND: Invitations to bid were mailed to 63 firms. Plans were purchased by 32 firms, one of which was a Rockville firm. Two bids were received and opened on August 4, 2004:

<u>Firm</u>	<u>Location</u>	<u>Base Amount</u>	<u>Deduct Alternates</u>	<u>Net Award</u>
Concrete General, Inc	Gaithersburg, MD	\$7,578,935.20	-\$740,200.00	\$6,838,735.20
Rustler Construction, Inc.	Lanham, MD	\$8,248,242.16	-\$652,338.00	\$7,595,904.16

The base bid amount reflects the complete project as designed. The deduct amount includes 6 items that could be deducted from this project to reduce the net cost. These items included: The "Arch" light frame; L.E.D. Light fixtures; Parapet wall luminaries; Form liners; Barrier fence; and Landscaping.

Project Description: The intent of the project is to provide a safe Pedestrian and Bicycle crossing of I-270 and the on/off ramps at Maryland Route 28. The project consists of three bridges that span I-270: the main carriageway; the southbound on ramp on the west side of I-270; and the two ramps (northbound on and northbound off) on the east side of I-270. The project also included an 8' wide asphalt multi-use path along Maryland Route 28 and Watts Branch Parkway connecting the bridges to Darnestown Road and the Falls Grove development.

Project Budget: \$4,386,399 is allocated in CIP Project #420-900-3E60

\$3,124,421 is available through TEA-21 funding and \$1,262,978 in pay-as-you-go funds

The Cultural Arts Commission has earmarked \$50,000 for artistic treatments on this project.

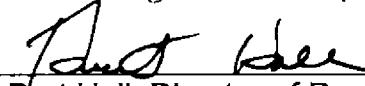
Summary: Both bids received were higher than the funds available. The cost of materials has significantly increased since the TEA-21 award was made in 2002. Therefore, staff recommends working with the design firm to redesign portions of this project to reduce the cost and negotiate with Maryland SHA to secure appropriate funding.

PREPARED BY:

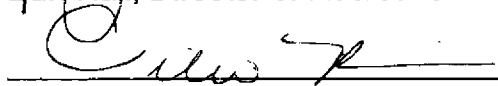

Betsy Thompson, Recreation Development Coordinator

9/23/04
Date

APPROVE:


Burt Hall, Director of Recreation and Parks

9/23/04
Date


Eileen Morris, Contract Officer

9/28/04
Date


Catherine Tuck Parrish, Acting City Manager

9/28/04
Date

LIST OF ATTACHMENTS:



MAYOR AND COUNCIL AGENDA

NO. 15D DEPT.: Finance / Finance

DATE: September 27, 2004

ACTION: Award of Sole Source Contract

TO: L/B Water Service, Inc.

OF: Chambersburg, PA

AMOUNT: Not to Exceed \$268,626.00

FOR: Water Meters

ACTION STATUS:

FOR THE MEETING OF: 10/04/04

INTRODUCED

PUB. HEARING

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ROCKVILLE CITY CODE,

CHAPTER

SECTION

☒ **CONSENT AGENDA**

RECOMMENDATION: Staff recommends that the Mayor and Council award a sole source requirements contract for the purchase of various types and sizes of Invensys water meters to L/B Water Service on an as-needed basis, not to exceed \$268,626.00 for the period October 1, 2004 through June 30, 2005, with the option to extend for three (3) additional one-year periods. Extensions are subject to the availability of funds.

IMPACT: ☐ Environmental ☒ Fiscal ☐ Neighborhood ☐ Other:

Funds for the purchase of water meters are available in the Revenue account # 210-700-0300-0453 and the Stockroom inventory account # 210-700-0300-0455.

BACKGROUND:

This contract is for providing all Standard and Touch Read Meters as required during the contract period.

In 2001, Inspection Services and Finance personnel met to discuss future purchases of water meters. The focus was on new requirements for touch read meters in new developments, standardization with one manufacturer, software capabilities, parts replacement, and the inability to interchange parts and software between manufacturers. The outcome of these meetings was to standardize with Invensys Metering Systems, Inc. of Pittsburgh. At that time, we were able to purchase the Invensys meters under a competitively bid contract with the Fairfax County Water Authority (FCWA).

Standardizing the meters to one manufacturer has many benefits to the City. The repair and replacement of parts is facilitated due to only having one manufacturer and construction of new buildings is facilitated because the dimensions and requirements for the meter spaces are known. Also, the Invensys meters were determined to work best in areas of the City where water pressure is

a concern. In FY 2005, the City is developing a pilot program to track the costs and benefits of a large scale meter testing and replacement program. This process is facilitated when using only one manufacturer since the lifespan of a meter can vary greatly depending on the manufacturer.

In their most recent bid process, FCWA used an electronic bid service that required the vendor to agree to pay a 2% fee each time a purchase is made in order to support the electronic service. L/B Water Service was not willing to participate under these conditions and so the City no longer has access to Invensys meters through the FCWA contracts. Currently the City of Cumberland, the City of Hagerstown, Anne Arundel County and Carroll County all purchase Invensys meters on a sole source basis. Anne Arundel County switched to a sole source basis because, like Rockville, they are no longer able to purchase Invensys meters under the FCWA bid.

Under the proposed sole source arrangement, the City will be able to purchase Invensys meters at a 15% discount from the list price; this is comparable to the former contract terms with FCWA. In addition, Invensys has a "swap out" program that allows the City to return old and/or broken meters to them and they will send reconditioned meters at a 50% discounted price and will restart the warranty period. This can provide great cost savings in the future; Invensys is unique in offering this program.

Invensys controls the distribution of its meters and assigns single distributorships in each state. L/B Water Services is designated by Invensys as the distributor in Maryland.

For the reasons stated above staff recommends that the Mayor and Council award a sole source requirements contract to L/B Water Service, Inc.

PREPARED BY:

Susan J. Lander

Susan J. Lander, Revenue Supervisor

CONCUR:

Eileen Morris
Eileen Morris, Contract Officer

9/21/04
Date

APPROVE:

Donna Boxer
Donna Boxer, Director of Finance

9/27/04
Date

Catherine Tuck Parrish
Catherine Tuck Parrish, Acting City Manager

9/28/04
Date

LIST OF ATTACHMENTS: None



MAYOR AND COUNCIL AGENDA

NO. **15E** DEPT.: Finance /

DATE: September 23, 2004

ACTION: Introduction of Ordinance to Levy Special Assessments for Driveway Aprons constructed in Fiscal Year 2004

ACTION STATUS:

FOR THE MEETING OF: 10/04/04

INTRODUCED 10/04/04

PUB. HEARING

INSTRUCTIONS

APPROVED

EFFECTIVE

ROCKVILLE CITY CODE,

CHAPTER

SECTION

☒ **CONSENT AGENDA**

RECOMMENDATION: That the Mayor and Council introduce this Ordinance.

IMPACT: ☐ Environmental ☒ Fiscal ☐ Neighborhood ☐ Other:

Assessments in the amount of \$5,639.74 will be levied against various residents. The assessments may be paid over a five-year period.

BACKGROUND: In response to various residents' requests, the City contracted to have 8 driveway aprons constructed in Fiscal Year 2004 at a total cost of \$5,639.74. Each property owner has executed a waiver form providing that the cost of construction shall be assessed against the properties abutting the improvements without further public hearing.

PREPARED BY:

Marielena Uehara-Collado *sig*
Marielena Uehara-Collado, Revenue Assistant II

APPROVE:

Donna J. Boxer
Donna J. Boxer, Director of Finance

9/27/04
Date

Catherine Tuck Parrish
Catherine Tuck Parrish, Acting City Manager

9/28/04
Date

LIST OF ATTACHMENTS: Ordinance

Ordinance No. _____

ORDINANCE:

To Levy Assessments - Driveway
Aprons various locations
Proj. No. 4A12

WHEREAS, the City Manager has advised the Mayor and Council of the completion of the construction of driveway aprons in various locations in Rockville, Montgomery County, Maryland theretofore authorized by the owners of the affected properties; and

WHEREAS, said property owners executed Request and Waiver forms which provide that the cost of construction shall be assessed against the properties abutting the improvements without further public hearing;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF ROCKVILLE, MARYLAND

1. That the work described herein, having been authorized by Request and Waivers on the dates noted, is hereby accepted and approved, said work having been completed according to the description and statement of cost listed below:

Description: Installation of concrete driveway aprons.

Statement of Cost:

<u>Project No.</u>	<u>Location</u>	<u>Assessment</u>	<u>Assessment With Interest</u>
4A12	Various	\$4,954.28	\$5,639.74

2. Pursuant to the provisions of Article XI of the Charter of the City of Rockville, Maryland, the expense of the work described in paragraph 1 above is hereby levied as special assessments against the benefited properties in the amounts shown on the list below. The work described above is hereby found and declared to be of special benefit to the properties shown on said list in the amounts assessed on said list. The amounts assessed on the list shown in paragraph 6 below labeled "Assessment" are due and payable, in full,

by the property owners on or before, November 30, 2004.

3. Payment of the amounts assessed may be made in five (5) equal installments at the rate of interest of 4.4811% per annum as follows:

a. 1/5th thereof immediately upon the adoption of this ordinance. If such payment is not paid on or before November 30, 2004 there shall be charged additional interest and penalty charges as provided in Chapter 22, Section 22-5 of the "Rockville City Code."

b. 1/5th thereof on the first day of July 2005 and 1/5th thereof on the first day of July of each year thereafter until finally paid. Any such installment thereon that is not paid on or before the thirtieth day of September following its due date shall be subject to additional interest and penalty charges as provided in Chapter 22, Section 22-5 of the "Rockville City Code."

c. The total amount paid by any property owner electing to defer payment as set forth above is shown in the "Assessment With Interest" column in paragraph 6 hereof.

4. All assessments levied hereunder shall be collected in the same manner as are City taxes in Rockville, Montgomery County, Maryland.

5. In the event that any one or more of the assessments levied by this ordinance are found by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of the assessments herein; and the Mayor and Council hereby declares that it would have levied the remainder of such assessments, regardless of the invalidity of such assessment.

SPECIAL ASSESSMENTS

Project No. 4A12

<u>Lot Block</u>	<u>Subdivision</u>	<u>Location</u>	<u>Waiver Date</u>	<u>Assessment</u>	<u>Assessment With Interest</u>
Q-5	Silver Rock	1004 Gilbert Rd	7/4/03	736.09	837.93
S-3	Silver Rock	1103 Baltimore Rd	8/1/03	764.63	870.42
N-4	Silver Rock	1016 Maple Ave	8/6/03	622.64	708.79
6-5	Warrens Add	1223 Simmons Dr	8/22/03	495.34	563.89
15-L	Rockland Sec2	1909 Gainsboro Rd	8/26/03	675.93	769.45
15-C	Rockland Sec1	1908 Gainsboro Rd	8/29/03	509.81	580.35
23-13	Warrens Add	1404 Lewis Ave	10/8/03	493.90	562.23
25-D	Twinbrook	13212 Midway Ave	10/27/03	655.94	746.68
Total				\$4,954.28	\$5,639.74

Ordinance No. _____

-4-

SPECIAL ASSESSMENTS (Continued)

Project No. 4A12

I HEREBY CERTIFY that the foregoing is a true and correct copy of an ordinance adopted
by the Mayor and Council of Rockville at its meeting of November 1, 2004.

Claire F. Funkhouser, City Clerk